

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MARIO BATES, SR.,

Petitioner,

v.

COMMONWEALTH OF PENNSYLVANIA,

Respondent.

:  
: CIVIL ACTION NO. 4:20-CV-1597  
: (JUDGE MARIANI)  
: (Magistrate Judge Saporito)

ORDER

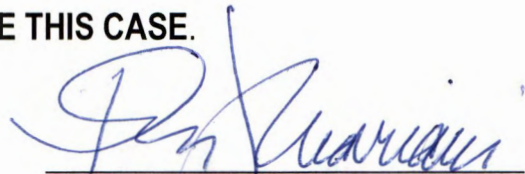
AND NOW, THIS 15<sup>th</sup> DAY OF DECEMBER 2020, upon review of Magistrate

Judge Joseph F. Saporito's Report and Recommendation ("R&R") (Doc. 7) for clear error or manifest injustice,<sup>1</sup> **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 7) is **ADOPTED** for the reasons set forth therein;
2. The Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241 (Doc. 1) is

**DISMISSED WITHOUT PREJUDICE;**

3. There is no basis for the issuance of a Certificate of Appealability;
4. The Clerk of Court is directed to **CLOSE THIS CASE.**



Robert D. Mariani  
United States District Judge

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<sup>1</sup> In correspondence directed to Magistrate Judge Saporito docketed on October 16, 2020, Petitioner expresses appreciation for the Court's consideration of his pending § 2241 Petition and appears to assert that he experienced difficulties with a Motion for Compassionate Release he attempted to file in Dauphin County in May 2020 due to ineffectiveness of his State court attorney. (Doc. 9 at 1.) The issues raised in the correspondence cannot be construed as objections to the R&R and do not relate to the disposition recommended in the R&R. (See *id.*)